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PTO IDENTIFIER:

Application Number 10/054,605-Conf. #8304

Patent Number

inventor:

Chao-Kun Hu

MESSAGE TO:

Examiner Paul E. Brock, II

FAX NUMBER:

(703) 872-9319

FROM:

CONNOLLY BOVE LODGE & HUTZ LLP

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Attorney Dkt. #:

YOR919990336US2/20140-00300-US

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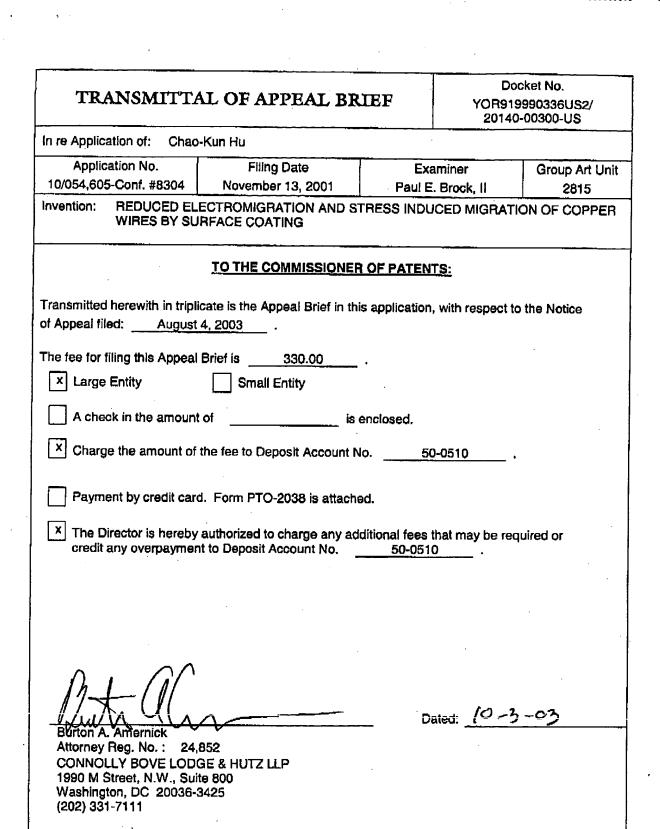
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Signature: Michely Soldard

_ (Michele Goddard)



Use in lieu of PTO/SB/17 (08-03) (Form updated to reflect FY 2004 fees affective 10/1/03)

	Complete if Known								
FEE TRANSMITTAL			Application Number 10/054,605-Conf. #8304						
			Filing Date			November 13, 2001			
for FY 2004		First Named Inventor			entor	Chao-Kun Hu			
Effective 10/01/2003, Fatent fees are subject to annual revision.	Examiner Name		Paul E. Brock, II						
Applicant claims small entity status. See 37 CFR 1,27					2815				
	Art Unit 2815 YOR919990336US2/								
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METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)								
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FEE CALCULATION	1251	110	2251	55			in first month		
1. BASIC FILING FEE	1252	420	2252	210			in second month		
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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility Issue	lee (or reiss	:Ue)		
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Code (\$) Code (\$) For Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)				
1202 18 2202 9 Claims In excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))				
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	(Complete (if applicable)) Registration No. 04 PSO Transcription (Complete (if applicable))								
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Signature Date 13-3-03									

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Dated: 10-3-03	Signature: Millule Andland	(Michele Goddard)

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Dated: 10-3-03

Signature: Michely Doddad

Docket No.: YOR919990336US2

(20140-00300-US) (PATENT)

BEFORE THE USPTO BOARD OF PATENT APPEALS AND INTERFERENCES IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

13/Appel Brief P.Weller 10-8-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Conf. No. 8304

Chao-Kun Hu

Application No.: 10/054,605

Group Art Unit: 2815

Filed: November 13, 2001

Examiner: Paul E. Brock, II

For: REDUCED ELECTROMIGRATION AND

STRESS INDUCED MIGRATION OF COPPER

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APPEAL BRIEF UNDER 37 CFR 1.192

Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This an appeal to the Primary Examiner's Final Rejection of claims 1-5, 7-10, 18-22, 24-27 and 35-38 (all of the claims now pending in the application).

1) REAL PARTY IN INTEREST

The real party in interest is International Business Machines Corporation.

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2) RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to appellant, appellant's legal representative or assignee which will directly affect or be directly affected by or have a bearing

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on the Board's decision in this appeal.

3) STATUS OF CLAIMS

Claims 1-5, 7-10, 18-22, 24-27 and 35-38 are pending and are all on appeal. Claims 6, 11-17, 23 and 28-34 have been cancelled.

4) STATUS OF AMENDMENTS

The amendment to the claims filed after the final rejection has been entered.

5) SUMMARY OF INVENTION

The present invention relates to a metal surface coating or treatment to prevent surface atoms of conductors from being moved downstream by an electron current, a phenomena known as electromigration, and/or from being moved by a stress gradient tending to relax stress known as stress induced migration.

More particularly, the present invention provides a thin metal layer in the range from 1 to 20 nm in order to reduce susceptibility to electromigration, oxidation, corrosion, stress voiding and delamination during subsequent chip processing and/or chip utilization, thus improving reliability and yield.

The thin metal layer forms a metal to metal metallurgical with an underlying patterned conductor as a substrate as recited in claim 18 and claims dependent thereon.

Another aspect of the present invention, as recited in claim 1 and claims dependent thereon, relates to a method for forming conductors with high electromigration resistance. The process comprises forming a layer of dielectric on a substrate, forming at least one trench in the layer of dielectric, forming a metal liner in the trench, forming a conductor on the metal liner filling the trench, forming a planarized upper surface of the conductor planar with the upper surface of the layer of dielectric, and forming a conductive film over the upper surface of said conductor, the conductive film forming a metal to metal metallurgical bond, and wherein the conductive film has a thickness of 1 to 20 nanometers.

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Application No.: 10/054,605

6) ISSUES

- A. Has the examiner established that claims 1-4, 18, 19, 20 and 21 are obvious and therefore unpatentable under 35 USC 103(a) over the cited art and namely US Patent 5,695,810 to Dubin in view of US Patent 6,077,774 to Hong?
- B. Has the examiner established that claims 5, 7, 22, 24, 37 and 38 are obvious and therefore unpatentable under 35 USC 103(a) over the cited art and namely US Patent 5,695,810 to Dubin in view of US Patent 6,077,774 to Hong and in view US Patent 5,674,787 to Zhao?
- C. Has the examiner established that claims 1, 9, 10, 18, 26 and 27 are obvious and therefore unpatentable under 35 USC 103(a) over the cited art and namely US Patent 6,372,633 to Maydan in view of US Patent 6,077,774 to Hong?
- D. Has the examiner established that claims 1, 2, 18 and 19 are obvious and therefore unpatentable under 35 USC 103(a) over the cited art and namely US Patent 6,180,523 in view of US Patent 6,077,774 to Hong?
- E. Has the examiner established that claims 8, 25, 35 and 36 are obvious and therefore unpatentable under 35 USC 103(a) over the cited art and namely US Patent 6,180,523in view of US Patent 6,077,774 to Hong and in view US Patent 5,674,787 to Zhao?

7) GROUPING OF CLAIMS

For each rejection, all of the involved claims stand or fall together.

8) APPELLANT'S ARGUMENTS

A. Dubin and Hong Fail to Render Obvious Claims 1-4, 18, 19, 20 and 21

Claims 1-4, 18, 19, 20 and 21 have been rejected under 35 U.S.C. § 103 as being unpatentable over Dubin in view of Hong. The cited references do not render obvious the present invention.

The present invention relates to a metal surface coating or treatment to prevent surface atoms of conductors from being moved downstream by an electron current, a phenomena known

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Docker No. YOR919990336US2/

Application No.: 10/054,605

as electromigration, and/or from being moved by a stress gradient tending to relax stress known as stress induced migration.

More particularly, the present invention provides a thin metal layer in the range from 1 to 20 nm in order to reduce susceptibility to electromigration, oxidation, corrosion, stress voiding and delamination during subsequent chip processing and/or chip utilization, thus improving reliability and yield.

The thin metal layer forms a metal to metal metallurgical bond with an underlying patterned conductor as a substrate.

The cited references fail to render obvious the above claims since, as appreciated by the Examiner, Dubin fails to suggest a conductive film over the upper surface of the conductor having a thickness of 1 to 20 nanometers. In fact, Dubin seems to suggest a film of 150-200 nanometers thick (see column 6, lines 20-22). Dubin relates to electrolessly depositing a CoWP film. Crucial to the suggestions in Dubin is the CoWP film (e.g., see column 2, line 63 to column 3, line 20). Furthermore, electroless deposition is important in the suggestions of Dubin. Along these lines (see column 8, lines 39-51). The film of Dubin is orders of magnitude greater than that of the present invention.

Hong was relied upon for a disclosure of 9 nanometers. However, Hong is not even properly combinable with Dubin since, among other things, Hong does not relate to CoWP films which are essential according to Dubin. Instead Hong suggests a layer of metallic oxide or carbide such as Al₂O₃, Cr₂O₃, TiO₂, AlC, TiC or CrC. (see column 5, lines 19-21).

Moreover, Hong does not suggest employing electroless deposition for forming such a layer as required by Dubin. Also see claims 2, 4, 5, 6, 7, 8, 19, 21, 22, 24, 25, 35 and 36 of the present application. Critical to the suggestions of Hong is the use of a specific chemical vapor deposition technique. In fact at column 1, lines 29-36, Hong discusses problems of depositing their film, which are to be addressed by the particular techniques suggested therein.

Accordingly, use of electroless deposition would be contrary to the suggestions in Hong.

There is no motivation listed in the cited art to combine Hong and Dubin. As discussed in the specification, the resistivity of the Cu line is not affected or increased by more than 20%;

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the electrical leakage is eliminated; and no further planarization of the Cu line is needed.

B. Dubin in view of Hong and Zhao Fail to Render Obvious Claims 5, 7, 22, 24, 37 and 38

Claims 5, 7, 22, 24, 37 and 38 have been rejected over Dubin in view of Hong and in view of Zhao.

Zhao fails to overcome the above discussed deficiencies of Dubin and Hong with respect to rendering obvious the present invention. In particular, Zhao was merely relied upon for a disclosure of annealing. However, Zhao is not even properly combinable with Dubin since, among other things, Zhao does not suggest CoWP film required by Dubin. The capping layers suggested by Zhao are 500-1500 angstroms (i.e. -50-150 nanometers) (see column 8, lines 18-31) and include Ni-Co, CoP, NiCoP or NiP (see column 8, lines 12-15).

C. Maydan in view of Hong Fail to Render Obvious Claims 1, 9, 10, 18, 26 and 27
Claims 1, 9, 10, 18, 26 and 27 were rejected under 35 U.S.C. § 103(a) as being
unpatentable over Maydan et al. in view of Hong. Maydan fails to render obvious the above
claims since, among other things, Maydan does not relate to the problems addressed by the
present invention and does not even remotely disclose the importance of the thickness of a metal
barrier layer.

The above discussion of Hong is incorporated herein by reference. Hong does not overcome the above discussed deficiencies of Maydan with respect to rendering obvious the above claims. In fact, Hong is not even properly combinable with Maydan since Hong suggests a layer of an oxide or carbide such as A1₂O₃, Cr₂O₃, TiO₂, A1C, TiC, or CrC; whereas, Maydan refers to W. No motivation exists in the cited art to combine Maydan and Hong.

D. Lee in view of Hong Fail to Render Obvious Claims 1, 2, 18 and 19

Claims 1, 2, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Hong. The cited references fail to render obvious the above claims.

Lee relates to an electrodes plating process but fails to even remotely suggest the

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thickness of the conductive film as employed according to the present invention. Critical to the process discussed by Lee is the electroless metallization. In addition, with respect to claim 1 and claims dependent thereon, Lee does not suggest forming a planarized upper surface of the conductor as recited in these claims. Moreover, since Lee requires subsequent insulation layer and patterning the insulation layer, forming the planarized upper surface does not seem to be especially suitable in Lee.

The above discussion of Hong is incorporated herein by reference.

Hong was relied upon for a disclosure of 9 nanometers. However, Hong is not even properly combinable with Lee since, among other things, Hong does not suggest employing electroless deposition for forming the conductive layer as required by Lee. Critical to the suggestions of Hong is the use of a specific chemical vapor deposition technique. In fact at col. 1, lines 29-36, Hong discusses problems of depositing their film, which are to be addressed by the particular techniques suggested therein. Accordingly, use of electroless deposition as required by Lee would be contrary to the suggestions in Hong.

E. Lee in view of Hong and Zhao Fail to Render Obvious Claims 8, 25, 35 and 36

Zhao fails to overcome the above discussed deficiencies of Lee and Hong with respect to rendering obvious the present invention. In particular, Zhao was merely relied upon for a disclosure of annealing. However, it would not be obvious to employ the annealing of Zhao since Lee was aware of Zhao (see column 4, lines 49-52) and it seems logical that Lee would have discussed annealing if such were deemed appropriate for the process of Lee. The capping layers suggested by Zhao are 500-1500 angstroms (i.e. -50-150 nanometers) (see column 8, lines 18-31) which lead away from the thickness recited in the present claims.

Discussion of Relevant Case Law

The mere fact that cited art may be modified in the manner suggested by the Examiner does not make this modification obvious, unless the cited art suggest the desirability of the modification. No such suggestion appears in the cited art in this manner. The Examiner's

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50 USPQ2d. 1614 (Fed. Cir. 1999), In re Gordon, 221 USPQ 1125 (Fed. Cir. 1984), In re Laskowski, 10 USPQ2d. 1397 (Fed. Cir. 1989) and In re Fritch, 23 USPQ2d. 1780 (Fed. Cir. 1992).

In Dembiczak et al., supra, the Court at 1617 stated: "Our case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references. See. E.g., C.R. Bard, Inc., v. M3 Sys., Inc., 157 F.3d. 1340, 1352, 48 USPQ2d. 1225, 1232, (Fed. Cir. 1998) (describing 'teaching or suggestion motivation [to combine]' as in 'essential evidentiary component of an obviousness holding'), In re Rouffet, 149 F.3d 1350, 1359, 47 USPQ2d. 1453, 1459 (Fed. Cir. 1998) ('the Board must identify specifically... the reasons one of ordinary skill in the art would have been motivated to select the references and combine them');...".

Moreover, it is impermissible under 35 U.S.C. 103 to use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. See *In re Fine*, 5 USPQ2d 1596 (Fed. Cir. 1988). Furthermore, it is well settled that hindsight reconstruction using the patent application as a guide through the maze of prior art references, combining "the right references in the right way" so as to achieve the result of the claimed invention must be avoided. See *Grain Processing Corp. v. American Maize-Products Corp.*, 5 USPQ2d 1788 (Fed. Cir. 1988).

The prior art fails to provide the degree of predictability of success of achieving the properties attained by the present invention needed to have a rejection under 35 U.S.C. 103 sustained. See *In re Mercier*, 187 USPQ 774 (CCPA, 1975) and *In re Naylor*, 152 USPQ 106 (CCPA, 1966).

Moreover, the properties of the subject matter and improvements which are inherent in the claimed subject matter and disclosed in the specification are to be considered when evaluating the question of obviousness under 35 USC 103. See Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d. 1923 (Fed. Cir. 1990), In re Antonie, 195, USPQ 6 (CCPA 1977), In re Estes, 164 USPQ (CCPA 1970), and In re Papesch, 137 USPQ 43 (CCPA 1963).

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Estes, 164 USPQ (CCPA 1970), and In re Papesch, 137 USPQ 43 (CCPA 1963).

No property can be ignored in determining patentability and comparing the claimed invention to the cited art. Along these lines, see *In re Papesch*, supra, *In re Burt et al*, 148 USPQ 548 (CCPA 1966), *In re Ward*, 141 USPQ 227 (CCPA 1964), and *In re Cescon*, 177 USPQ 264 (CCPA 1973).

8) CONCLUSIONS

In view of the above it is abundantly clear that the Primary Examiner has erred in finally rejecting claims 1-5, 7-10, 18-22, 24-27 and 35-38. Accordingly, it is hereby requested that the Board reverse the examiner and allow claims 1-5, 7-10, 18-22, 24-27 and 35-38.

The Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this communication including any extension fees to Deposit Account No. 50-0510.

Dated: 10-3-03

Respectfully submitted

Burton A. Amernick

Registration No.: 24,852

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Docket No. YOR919990336US2/ (20140-00300-US)

APPENDIX OF CLAIMS ON APPEAL

1. (Previously Presented) A method for forming conductors with high electromigration resistance comprising

forming a layer of dielectric on a substrate,

forming at least one trench in said layer of dielectric.

forming a metal liner in said trench,

forming a conductor on said metal liner filling said trench,

forming a planarized upper surface of said conductor planar with the upper surface of said layer of dielectric, and

forming a conductive film over said upper surface of said conductor, said conductive film forming a metal to metal metallurgical bond

and wherein said conductive film has a thickness of 1 to 20 nanometers.

- 2. (Original) The method of claim 1 wherein said step of forming a conductive film includes the step of forming said conductive film by electroless deposition whereby said upper surface of said conductor is protected from oxidation and corrosion and provides high electromigration resistance and high resistance to thermal stress voiding.
- 3. (Previously Presented) The method of claim 1 wherein said conductive film has a thickness in the range of 1 to 10 nanometers.
- 4. (Original) The method of claim 2 wherein said electroless deposited film has a thickness in the range of 1 to 10 nanometers.
- 5. (Previously Presented) The method of claim 2 wherein said electroless deposition includes first immersing said substrate in a solution of metal ions whereby a layer of nanoparticles of metal are formed on said upper surface of said conductor,

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second immersing said substrate in an electroless complexed solution of metal ions and hypophosphite ions whereby said conductive film formed comprises a metal-phosphide conductive film on said upper surface of said conductor, and

annealing said substrate in one of an inert or reducing atmosphere at a temperature of at least 300° C for at least 2 hours whereby excellent adhesion is obtained between said conductor and said metal phosphide conductive film.

- 7. (Previously Presented) The method of claim 5 wherein said conductive film is selected from the group consisting of CoWP, CoSnP, and CoP.
- 8. (Previously Presented) The method of claim 2 wherein said electroless deposition includes first immersing said substrate in a solution of metal ions whereby a layer of nanoparticles of metal are formed on the surface of said conductor,

second immersing said substrate in an electroless complexed solution of metal ions and dimethylamino borane whereby said conductive film formed comprises a layer of metal-boron conductive film on said upper surface of said conductor and,

annealing said substrate in one of an inert or reducing atmosphere at a temperature of at least 300° C for at least 2 hours whereby excellent adhesion is obtained between said conductor and said metal boron conductive film.

- 9. (Original) The method of claim 1 wherein said conductive film is applied on the surface of said conductor by physical methods such as Chemical Vapor Deposition (CVD), Physical Vapor Deposition (PVD), evaporation, sputtering and thermal metal interdiffusion.
- 10. (Original) The method of claim 9 wherein said conductive film is selected from the group consisting of Pd, In, W and mixtures thereof.

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Application No.: 10/054,605

18. (Previously Presented) A method for forming conductors with high electromigration resistance comprising:

forming a patterned conductor on a substrate,

forming a conductive film over said surface of said conductor, said conductive film forming a metal to metal metallurgical bond and has a thickness of 1 to 20 nanometers.

- 19. (Original) The method of claim 18 wherein said step of forming a conductive film includes the step of forming said conductive film by electroless deposition whereby said surface of said conductor is protected from oxidation and corrosion and provides high electromigration resistance and high resistance to thermal stress voiding.
- 20. (Previously Presented) The method of claim 18 wherein said conductive film has a thickness in the range of 1 to 10 nanometers.
- 21. (Original) The method of claim 19 wherein said electroless deposited film has a thickness in the range of 1 to 10 nanometers.
- 22. (Previously Presented) The method of claim 19 wherein electroless deposition includes of first immersing said substrate in a solution of metal ions whereby a layer of nanoparticles of metal are formed on said surface of said conductor,

second immersing said substrate in an electroless complexed solution of metal ions and hypophosphite ions whereby said conductive film formed comprises a metal-phosphide conductive film on said surface of said conductor, and

annealing said substrate in one of an inert or reducing atmosphere at a temperature of at least 300° C for at least 2 hours whereby excellent adhesion is obtained between said conductor and said metal phosphide conductive film

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- 24. (Previously Presented) The method of claim 22 wherein said conductive film is selected from the group consisting of CoWP, CoSnP, and CoP.
- 25. (Previously Presented) The method of claim 19 wherein said electroless deposition includes first immersing said substrate in a solution of metal ions whereby a layer of nanoparticles of metal are formed on the surface of said conductor,

second immersing said substrate in an electroless complexed solution of metal ions and dimethylamino borane whereby said conductive film formed comprises a layer of metal-boron conductive film on said surface on said conductor, and annealing said substrate in one of an inert or reducing atmosphere at a temperature of at least 300° C for at least 2 hours whereby excellent adhesion is obtained between said conductor and said metal boron conductive film.

- 26. (Original) The method of claim 18 wherein said conductive film is applied on the surface of said conductor by physical methods such as Chemical Vapor Deposition (CVD), Physical Vapor Deposition (PVD), evaporation, sputtering and thermal metal interdiffusion.
- 27. (Original) The method of claim 26 wherein said conductive film is selected from the group consisting of Pd, In, W and mixtures thereof.
- 35. (Original) The method of claim 8 wherein said conductive film is selected from the group consisting of CoB, CoSnB, CoWB and NiB.
- 36. (Original) The method of claim 25 wherein said conductive film is selected from the group consisting of CoB, CoSnB, CoWB and Nib.
- 37. (Previously Presented) The method of claim 2 wherein said electroless deposition for forming said conductive film comprises immersing said substrate in an electroless complexed solution of metal ions and hypophosphite ions whereby a metal-phosphide conductive film is

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formed on said upper surface of said conductor, and

annealing said substrate in one of an inert or reducing atmosphere at a temperature of at least 300° C for at least 2 hours whereby excellent adhesion is obtained between said conductor and said metal phosphide conductive film.

38. (Previously Presented) The method of claim 19 wherein said electroless deposition for forming said conductive film comprises immersing said substrate in an electroless complexed solution of metal ions and hyposphosphite ions whereby a metal-phosphide conductive film is formed on said surface of said conductor, and

annealing said substrate in one of an inert or reducing atmosphere at a temperature of at least 300°C for at least 2 hours whereby excellent adhesion is obtained between said conductor and said metal phosphide conductive film.